

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

ALCAPONE ALO,

Plaintiff,

v.

FRESNO CITY COLLEGE, STATE
CENTER COMMUNITY COLLEGE,

Defendants.

No. 1:22-cv-01271-ADA-BAM

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS AND DISMISSING
ACTION

(ECF No. 8)

Plaintiff Alcapone Alo (“Plaintiff”), proceeding *pro se* and *in forma pauperis*, filed this civil action on October 6, 2022. (ECF No. 1.)

On December 15, 2022, the assigned Magistrate Judge issued findings and recommendations recommending as follows: (1) Plaintiff’s federal claims be dismissed, with prejudice, for Plaintiff’s failure to state a claim; (2) the Court decline to exercise supplemental jurisdiction over Plaintiff’s state law claims, if any; and (3) the action be dismissed based on Plaintiff’s failure to obey the Court’s order and failure to prosecute. (ECF No. 8.) The findings and recommendations were served on Plaintiff and contained notice that any objections thereto were to be filed within fourteen (14) days after service. (*Id.* at 10.) No objections have been filed, and the time in which to do so has passed.

In accordance with the provisions of 28 U.S.C. § 636 (b)(1)(c), this Court has conducted a *de novo* review of the case. Having carefully reviewed the entire file, the Court finds that the

1 findings and recommendations are supported by the record and proper analysis.

2 Accordingly,

- 3 1. The findings and recommendations issued on December 15, 2022, (ECF No. 8), are
4 adopted in full;
- 5 2. Plaintiff's federal claims are dismissed, with prejudice, for Plaintiff's failure to state
6 claim;
- 7 3. The Court declines to exercise supplemental jurisdiction over Plaintiff's state law
8 claims, if any;
- 9 4. This action is dismissed based on Plaintiff's failure to obey the Court's order and
10 failure to prosecute; and
- 11 5. The Clerk of the Court is directed to close this case.

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13 IT IS SO ORDERED.
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15 Dated: February 14, 2023



16 UNITED STATES DISTRICT JUDGE
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